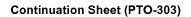
## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/562,554	MORI ET AL.	
Examiner	Art Unit	

under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).  NOTICE OF APPEAL  2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS  3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☑ They raise new issues that would require further consideration and/or search (see NOTE below);  (b) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: (See 37 CFR 1.116 and 41.33(a)).  4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. ☐ Applicant's reply has overcome the following rejection(s): (See 37 CFR 1.166).  NOTE: (See 37 CFR		Kevin Parendo	2823		
1. ☑ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandomment of this application, applicant must intelly file one of the following replies: (1) an amendment, affidiaty, or other avidency, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.11; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:  a) ☑ The period for reply expires ② months from the mailing date of the final rejection,  b) ☐ The period for reply expires ② months from the mailing date of the final rejection.  Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS for THE FIRMA REJECTION. See WFEP 708.07(I).  Extensions of time may be obtained under 37 CFR 1.195(a). The date on which the petition under 37 CFR 1.136(s) and the appropriate extension fee number 37 CFR 1.176(s) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action. (2) as many reduce any examed patent term adjustment. See 37 CFR 1.776(b).  NOTICE OF APPEAL  2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 4.1.37 must be filed within two months of the date of Notice of Appeal was been filed, any reply must be filed within the time period sor reply originally set in the mail office action, even if inney filed. ☐ The Notice of Appeal was been filed, any reply must be filed within the time period sor filing a brief, will not be entered because (a) ☑ The Notice of Appeal was been filed, any reply must be filed within the time period sor from in 37 CFR 41.37(a).  AMENDMENTS  3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because and preserve that we will not preserve additional claims without cancel	The MAILING DATE of this communication appe	ars on the cover sheet with the o	correspondence addr	ess	
application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.14. The reply must be filed within one of the following time periods:  a) The period for reply expires 3 months from the mailing date of the final rejection, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  Examiner Note: if box 1 is checked, check either box (a) or (b), ONLY CHECK BOX (b) WHEN THE FIRST REPLAY STILED WITHIN TWO MONTHS OF THE FIRAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.138(a). The date on which the petition under 37 CFR 1.138(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed in (b) above, if checked, Any reply recovery of the feel of filed with the feel of filed of the final rejection, even if timely filed.  NOTICE OF APPEAL  The Notice of Appeal was filed on A brief in compliance with 37 CFR 4.137 must be filed within two months of the date of filing the Notice of Appeal and seen filed, any reply must be filed within the time period set forth in 37 CFR 4.137(e), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 4.137(e), to avoid dismissal of the appeal. Since a Notice of Appeal with period for filed after a fina	THE REPLY FILED 30 November 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.				
a)	application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appe for Continued Examination (RCE) in compliance with 37 C	replies: (1) an amendment, affidavi al (with appeal fee) in compliance	t, or other evidence, wh with 37 CFR 41.31; or	hich places the (3) a Request	
no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  Examiner Note: If box 1: sh cabcked, check ciller box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST RELLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a) The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee nave been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee nave been filed is the date for purpose of the final rejection, even if timely filed, may reduce any exerce are greated patent term adjustment. See 37 CFR 1.70(a) can be shortered statutory period for reply originally set final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, or (2) as set forth in (b) above, if checked. Any reply received by the original replaces of the final rejection, or (2) as a final rejection and/or search (see NOTE 41.37 (e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS  AMENDMEN	<u></u>	of the final rejection.			
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Application No.